

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Matthew Glenn Broadwell**

**Docket No. 7:13-MJ-1192-1RJ**

**Petition for Action on Probation**

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment Order of Matthew Glenn Broadwell, who, upon an earlier plea of guilty to DWI, Level V, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on February 5, 2014, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. The defendant shall participate in any other alcohol/drug rehabilitation and education program as directed by the U.S. Probation Office.
4. The defendant shall surrender North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.
5. The defendant shall pay a special assessment of \$10.00 and a fine of \$100.00.

On April 24, 2014, the court was notified via a Violation Report that the defendant had tested positive for marijuana use and had admitted using the drug. It was recommended the defendant be afforded the opportunity to participate in substance abuse treatment with an increase in random urine screens.

On July 31, 2014, a Violation Report was submitted to the court, advising the court that the defendant had tested positive for marijuana a second time. The defendant admitted using marijuana on July 4, 2014. Mr. Broadwell had completed a substance abuse treatment program, but he was permitted to return to substance abuse treatment with no punitive sanction.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On September 5, 2014, the defendant was charged with Failure to Burn Headlamps and Driving While License Revoked in Johnston County, North Carolina. According to the citation, the offense happened at 8:53 p.m. The defendant has a limited driving privilege which allows him to drive daily from 6:00 a.m. until 8:00 p.m. Additionally, the defendant is also permitted to drive during the nonstandard hours until 9:00 p.m. for work-related activities, other times as required for participation in substance abuse

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treatment, and at any time for medical emergencies. At the time the citation was issued, the defendant claimed he was taking his girlfriend to the pharmacy to obtain medication after she was involved in a car accident earlier in the day.

During an office visit with the probation officer on September 19, 2014, the defendant was confronted with several diluted urine specimens that indicated noticeable amounts of cannabinoids present separated by a urine specimen with no noticeable amounts of cannabinoids present. These urine specimens were collected between August 22, 2014, and September 3, 2014. The defendant then admitted he has had problems ceasing all use of marijuana and had last used on September 14, 2014. The defendant continues to participate in treatment, but he has not addressed his ongoing use.

Rather than return to court for revocation proceedings at this time, it is recommended the defendant be permitted to continue in substance abuse treatment and allow the state court to address his driving offense. However, we are also recommending the defendant's conditions of probation be modified to include two consecutive weekends in the custody of the Bureau of Prisons or their designated facility. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two consecutive weekends, as directed by the Bureau of Prisons and the designated facility, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

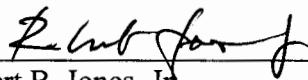
I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8660  
Executed On: September 22, 2014

**ORDER OF COURT**

Considered and ordered this 23 day of September, 2014, and ordered filed and made a part of the records in the above case.

  
Robert B. Jones, Jr.  
U.S. Magistrate Judge